

Standing committees
AGENDA

Entered - 10/08/01 - sb
CL01L0627 - DIANNE C. MITCHELL

01-R-1948

CLAIM OF: **HENRIETTA R. AMATULLI,**
through her attorney,
Jonathan P. Sexton
505 Corporate Center Drive
Suite 104
Stockbridge, Georgia 30281

For damages alleged to have been sustained as a result of personal injuries received on May 13, 2000 at the Atlanta Airport.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEC 3 2001

DEC 03 2001

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ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: _____

CHAIR: _____

ADVERSE REPORT
CITY COUNCIL
DEC 03 2001

ATLANTA CITY COUNCIL PRESIDENT

DEPUTY MUNICIPAL CLERK



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

December 6, 2001

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

Jonathan P. Sexton
Attorney at Law
505 Corporate Center Dr.
Suite 104
Stockbridge, GA 30281

01-R-1948

RE: Henrietta R. Amatulli

Dear Attorney Sexton:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on January 03, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0627

Date: November 6, 2001

Claimant /Victim HENRIETTA R. AMATULLI
BY: (Atty) Jonathan P. Sexton
Address: 505 Corporate Center Drive, Suite 104, Stockbridge, Georgia 30281
Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated
Date of Notice: 08/01/01 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.)
Date of Occurrence 05/13/00 Place: Atlanta Airport
Department Aviation Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that she was injured on an escalator leading to Concourse "E". The investigation determined that the area where the claimant alleges her injury occurred is controlled and maintained by the Atlanta Airlines Terminal Corporation. The claim has been forwarded to its insurance carrier for handling. Additionally, the claim as presented does not comply with the requirements of notice as set forth in O.C.G.A. §36-33-5, the six month statute of limitations expired prior to receipt of the claim.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months X Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Concur/date 11-13-01
Committee Action: Council Action

RCS# 3389
12/04/01
1:15 AM

Atlanta City Council

Regular Session

#13) 01-R-1947

#14) 01-R-1948

#15) 01-R-1949

#16) 01-R-1950

#17) 01-R-1951

MULTIPLE

Unfavorable Claims: #13 through #22
Except #19
ADOPT

#18) 01-R-1952

#20) 01-R-1960

#21) 01-R-1961

#22) 01-R-1962

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

NV McCarty	NV Dorsey	Y Moore	NV Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	NV Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE